

Message Text

CONFIDENTIAL

PAGE 01 OSLO 05283 051121Z

13 S

ACTION EUR-12

INFO OCT-01 ISO-00 IO-10 DLOS-03 COA-01 EB-07 OES-03

CIEP-01 L-02 SS-15 NSC-05 ACDA-05 AID-05 CEQ-01

CIAE-00 COME-00 DODE-00 EPA-01 INR-05 NSF-01 NSAE-00

PM-03 RSC-01 SP-02 FEA-01 DOTE-00 FMC-01 CG-00 INT-05

NIC-01 SAJ-01 /093 W

----- 088934

R 041558Z DEC 74

FM AMEMBASSY OSLO

TO SECSTATE WASHDC 9034

INFO AMEMBASSY COPENHAGEN

AMEMBASSY HELSINKI

AMEMBASSY LONDON

AMEMBASSY MOSCOW

USMISSION NATO

USMISSION USUN

AMEMBASSY PARIS

AMEMBASSY REYKJAVIK

AMEMBASSY STOCKHOLM

C O N F I D E N T I A L OSLO 5283

E.O. 11652: GDS

TAGS: PLOS PBOR UR NO

SUBJ: RESULTS OF FIRST ROUND OF SOVIET/NORWEGIAN CONTINENTAL
SHELF BOUNDARY NEGOTIATIONS

REF: OSLO 5167

1. 1. DIRECTOR GENERAL FOR LEGAL AFFAIRS IN THE FOREIGN MINISTRY
KJELL ELIASSEN ON DECEMBER 3 FILLED IN DCM AND E/C COUNSELOR ON
THE SOVIET/NORWEGIAN CONTINENTAL SHELF BOUNDARY NEGOTIATIONS IN
MOSCOW THE PREVIOUS WEEK. ELIASSEN LED TEN-MAN NORWEGIAN DELEGA-
TION. SOVIET NINE-MAN DELEGATION WAS HEADED BY P.N. YEVSEYEV,
DEPUTY DIRECTOR OF THE MFA'S LEGAL AND TREATY DIVISION. THE TALKS
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 OSLO 05283 051121Z

LASTED ONE WEEK, CONCLUDING AS EXPECTED WITHOUT AGREEMENT.

2. ELIASSEN SAID THAT NORWAY BASED ITS CASE ON THE MEDIAN LINE PRINCIPLE EMBODIED IN THE 1958 CONVENTION ON THE CONTINENTAL SHELF, AND THE NORTH SEA CASE ESTABLISHING THE NORWEGIAN/BRITISH OFFSHORE BOUNDARY. NORWAY'S CASE WAS DOCUMENTED BY A MAP ON WHICH NORWEGIAN CARTOGRAPHERS HAD DRAWN A MEDIAN LINE BOUNDARY OUT FROM THE MOUTH OF VARANGER FJORD, RUNNING SUBSEQUENTLY AS A MEDIAN LINE BETWEEN NOVAYA ZEMLYA AND HOPEN ISLAND, AND NORTHWARD BETWEEN SVALBARD AND FRANZ JOSEF ISLAND.

3. SOVIETS ADVANCED NO REPEAT NO SPECIFIC BOUNDARY LINE PROPOSAL BUT CRITICIZED NORWEGIAN MEDIAN LINE POSITION AS UNFAIR. THEY DOWNPLAYED THE BROAD POLITICAL AND OTHER ARGUMENTS USED IN 1970 TO SUPPORT A BOUNDARY TO THE WEST OF THE MEDIAN LINE, ARGUING THEIR CASE THIS TIME PRIMARILY ON GEOGRAPHIC GROUNDS. THEY DID SO APPARENTLY BECAUSE THE NORWEGIANS HAD AGREED THAT "SPECIAL CIRCUMSTANCES" COULD JUSTIFY DEVIATION FROM THE MEDIAN LINE UNDER THE 1958 CONTINENTAL SHELF CONVENTION, BUT INSISTED THAT THE ONLY "SPECIAL CIRCUMSTANCES" ANYONE HAD IN MIND WHEN DRAFTING THE CONVENTION WERE SPECIAL GEOGRAPHIC FEATURES.

4. IN ARGUING GEOGRAPHY, SOVIETS STRESSED FACT THAT THE SOVIET COAST WAS FAR LONGER THAN NORWAY'S AND THAT THE CONFIGURATION OF NORWEGIAN/SOVIET COAST WAS UNDULY FAVORABLE TO NORWAY'S MEDIAN LINE POSITION BECAUSE OF A "CASUAL INDENTATION" OF THE SOVIET COAST ALONG THE NORWEGIAN/SOVIET BORDER. SOVIETS ALSO ADVANCED OTHER SPECIAL CIRCUMSTANCE ARGUMENTS BASED ON COMPARATIVELY LARGE SOVIET POPULATION IN THE AREA, SOVIET ECONOMIC INTEREST IN FISHING AND SHIPPING IN THE AREA, AND SOVIET POLLUTION CONCERNS. ELIASSEN DID NOT TAKE THESE LATTER ARGUMENTS SERIOUSLY, CONTENDING THAT THEY WERE NOT PERTINENT AND THAT ONLY LAND GIVES A COASTAL STATE CONTINENTAL SHELF RIGHTS. SECURITY CONSIDERATIONS WERE ONLY RAISED BY THE SOVIETS VERY INDIRECTLY. QUESTIONS OF OIL, OTHER RESOURCES, FISHING RIGHTS, OR SVALBARD WERE NOT DISCUSSED. THE SOVIET SECTION CLAIM WAS NOT REPEAT NOT MENTIONED ALTHOUGH ALLUDED TO BY THE SOVIETS IN POINTING OUT THE CONVERGENCE OF MERIDIANS WITH A MEDIAN LINE.

5. THE SOVIETS MADE A SLIGHT CONCESSION TO THE EQUIDISTANCE PRINCIPLE BY AGREEING THAT THE PREVIOUSLY DELIMITED OFFSHORE

CONFIDENTIAL

PAGE 03 OSLO 05283 051121Z

BOUNDARY IN THE VARANGER FJORD (AN EQUIDISTANCE LINE) COULD BE EXTENDED OUT SOME SHORT BUT UNDEFINED DISTANCE. ELIASSEN LATER DETERMINED, THAT THE SOVIETS MADE A SIMILAR CONCESSION DURING THE 1970 TALKS.

6. ELIASSEN SAID THE NEGOTIATIONS WERE CONDUCTED IN A FRIENDLY ATMOSPHERE. HE HAD HEARD THAT YEVAEYEV COULD BE VERY TOUGH, BUT HE WAS VERY FRIENDLY THROUGHOUT THE TALKS. THE SOVIETS USED A

VARIETY OF MAPS TO PRESS THEIR SPECIAL GEOGRAPHIC CIRCUMSTANCES CASES. A SOVIET CARTOGRAPHER, FNV KULIKOV WAS ORDER LISTED AS NO. 2 ON THE SOVIET DELEGATION OF MINE, BUT YEVSEYEV RELIED PRIMARILY ON TWO SOVIET NAVY REPRESENTATIVES FOR GEOGRAPHIC EXPERTISE.

7. THE SOVIETS WERE UNWILLING TO AGREE UPON A DATE FOR THE NEXT MEETING WHEN THE NORWEGIANS SPOKE OF RECONVENING IN FEBRUARY OR MARCH. THEY STRESSED THAT THIS DID NOT CONNOTE A LACK OF SOVIET INTEREST IN REASHING AGREEMENT BUT RATHER REOCCUPATION WITH OTHER MATTERS, INCLUDING THE LOS CONFERENCE IN GENEVA IN MARCH. ELIASSEN SAID THAT, SINCE THE NEXT ROUND OF TALKS WOULD BE IN OSLO, IT WAS CLEARLY NORWAY'S RESPONSIBLITY TO TAKE THE INITIATIVE IN FINDING A MUTUALLY CONVENIENT DATE FOR THE NEXT ROUND. NORWAY WILL PROPOSE, PROBABLY AFTER THE FIRST OF THE YEAR, THAT THEY MEET EITHER IN FEBRUARY OR MARCH BEFORE THE LOS OR IN MAY OR JUNE. HE BELIEVES, HOEVER, THAT THE LOS CONFERENCE WILL PRECLUDE THE EARLIER MEETING AND THAT MAY OR JUNE ARE LIKELY ALTERNATIVES. HE ANTICIPATES THAT THE SECOND ROUND WILL BE AT THE SAME LEVEL.

3. ELIASSEN IS RELATIVELY SATISFIED WITH THE RESULTS OF THE FIRST ROUND. HE FINDS ENCOURAGING SOVIET ACCEPTANCE OF THE 1958 CONTINENTAL SHELF CONVENTION AND OF THE NORTH SEA CASE AS THE MAJOR FACTORS TO BE TAKEN INTO CONSIDERATION IN A BOUNDARY SETTLEMENT AND BELIEVES THAT EVEN THE SOVIETS DO NOT TAKE SERIOUSLY THE EXTRANEIOUS ARGUMENTS THEY RAISED, SUCH AS POPULATION DENISITY, POLLUTION, ETC.

9. AT THE SAME TIME, BOTH ELIASSEN AND DIRECTOR GENERAL FOR POLITICAL AFFAIRS VIBE (IN SUBSEQUENT CONVERSATION WITH DCM) EXPRESS THE VIEW THAT SOME SORT OF POLITICAL COMPROMISE WILL EVENTUALLY HAVE TO BE WORKED OUT INVOLVING NORWEGIAN CONCESSIONS OF A SECURITY OR ECONOMIC NATURE. ELIASSEN HAD THOUGHT HE MIGHT

CONFIDENTIAL

PAGE 04 OSLO 05283 051121Z

BE GIVEN SOME HINT AS TO THE LINES ALONG WHICH THE SOVIETS MIGHT BE THINKING AT A PERSONAL MEETING SET UP IN MOSCOW WITH THE CHIEF OF THE NORTH EUROPEAN DIVISION, BELOKHVOSTIKOV, BUT NOTHING IN FACT TRANSPIRED. VIBE SAID THAT IT WAS POSSIBLE THE SOVIETS MIGHT MAKE SOME OVERTURE TO UNDER SECRETARY ARNE ARNESEN WHEN HE VISITS THE USSR AS A GUEST OF THE SOVIET GOVERNMENT THIS COMING JANUARY, BUT HE EXPECTED THAT THE FIRST APPROACH WOULD COME AT A STILL HIGHER LEVEL. IF THE SCENARIO DEVELOPS AS THE NORWEGIANS HOPE, THE SOVIETS WILL INDICATE IN THE COMING MONTHS WHAT THEY REALLY WANT; SOME COMPROMISE WILL BE WORKED OUT INFORMALLY BEHIND THE SCENES; AND WHEN THE LEGAL/TECHNICAL TALKS RESUME, PERHAPS THIS SPRING, THEY WILL HAVE NEW GUIDELINES INDICATING THE PRINCIPLES ON WHICH THEY SHOULD WORK TO DRAW UP THE DEFINITIVE BOUNDARY LINE.

BYRNE

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BOUNDARY DETERMINATION, NEGOTIATIONS, MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 04 DEC 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: boyleja
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974OSLO05283
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740353-0065
From: OSLO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19741261/aaaacaer.tel
Line Count: 169
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: OSLO 5167
Review Action: RELEASED, APPROVED
Review Authority: boyleja
Review Comment: n/a
Review Content Flags:
Review Date: 01 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 MAY 2002 by elyme>; APPROVED <25-Sep-2002 by boyleja>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: RESULTS OF FIRST ROUND OF SOVIET/NORWEGIAN CONTINENTAL SHELF BOUNDARY NEGOTIATIONS
TAGS: PLOS, PBOR, UR, NO
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005